

REMARKS

Claims 1-6 were examined. Claim 1 has been amended and claims 1-6 remain in the application. Reconsideration and allowance of the claims in view of the amendment and of the following remarks is respectfully requested.

Claim Rejections – 35 USC § 112

Claim 1 was rejected under 35 U.S.C. 112, second paragraph, as allegedly being indefinite. A clarifying amendment has been made to claim 1. It is urged that this rejection has been overcome and should be withdrawn.

Claim Rejections – 35 USC § 102

Claims 1-6 were rejected under 35 U.S.C. 102(e) as allegedly being anticipated by Stam (US20030123705). The rejection is respectfully traversed.

Claim 1 is the sole independent claim. The remaining claims depend directly or indirectly from claim 1.

The present invention relates to a device to control the temperature in a vehicular headlamp to prevent the temperature or heat from increasing in order to solve a problem found in a conventional vehicular headlamp. That is, a light-emitting diode (LED) might not emit light properly because of an increase in the temperature of the headlamp. Specifically, in a vehicular headlamp, care must be taken in order to prevent the LED from becoming overheated during the period of time that the vehicular lamp is turned on. To avoid overheating, in the presently claimed device, the vehicular lamp is switched to a position lamp based on the temperature of the vehicular lamp, and the amount of heat then generated is small.

On the other hand, however, the purpose of the vehicular headlamp device of Stam et al. is to prevent excessive glare seen by oncoming drivers. Specifically, in Stam et al., the vehicular lamp is switched to “a low beam” from “a high beam” based on brightness around the vehicle. From this, it is clear that the “position lamp” of the present invention is different from and does not correspond to the “low beam” of the Stam et al. reference. Furthermore, in the case of the

vehicular headlamp of Stam et al., the headlamp is switched from a "high beam" to a "low beam" in order to reduce a light intensity only when there is an oncoming vehicle. In other words, if there is no oncoming vehicle, the light intensity is not reduced in the Stam et al. device. Therefore, the temperature in the Stam et al. headlamp might be significantly increased as compared to the present claimed device. Consequently, the Stam et al. LEDs could more easily become excessively heated, which would damage the LEDs during the time period that the vehicular lamp is turned on.

To sum up, upon considering the above arguments from the standpoint of the person ordinarily skilled in the art, he or she would understand that the "position lamp" of the present invention does not correspond to the "low beam" of Stam et al. Claim 1 is therefore allowable for at least the indicated reasons. Since claims 2-6 depend directly or indirectly from claim 1, they are also allowable for at least the same reasons. It is urged, therefore, that the rejections should be withdrawn and that a notice of allowance for claims 1-6 should be mailed.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

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